

Amendments to the Claims

The listing of claims will replace all prior versions, and listings of claims in the application.

Claims 1-8 (cancelled).

9. (currently amended) An axle driving apparatus, comprising:

a casing including an upper half casing part and a lower half casing part joined with each other through a joint surface;

a hydraulic pump disposed in said casing and including a ~~vertical~~ pump shaft also serving as an input shaft and a pump piston disposed parallel to said pump shaft, wherein said pump shaft is disposed perpendicular to said joint surface of said casing;

a hydraulic motor disposed in said casing and including a motor shaft and a motor piston disposed parallel to said motor shaft, wherein said motor shaft is disposed parallel to said joint surface of said casing and drivingly connected to axles via a differential gear;

a center section ~~for fluidly~~ disposed in said casing and fluidly connecting said hydraulic pump and said hydraulic motor with each other, wherein said hydraulic pump and said hydraulic motor are mounted on said center section so that said pump shaft and said motor shaft are disposed perpendicular to each other, [[and]] wherein said center section is fixed to said upper half casing part, and wherein said center section is provided therein with a closed circuit for hydraulic connection of said hydraulic pump and said hydraulic motor and with an oil suction port;

a check valve disposed in said center section, wherein said check valve is interposed between said oil suction port and said closed circuit.

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